

Appln No. 10/692,714
Amdt date March 6, 2006
Reply to Office action of November 4, 2005

Amendments to the Drawings:

The attached sheets of drawings include changes to sheets 1 and 3. These sheets, which include Figs. 1, 2A, 2B and 2C, replace the original sheets including Fig. 1 and Areas A, B and C.

Attachment: Replacement Sheets
 Annotated Sheets Showing Changes

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REMARKS/ARGUMENTS

Claims 1-24 now remain pending in this application. Applicant has amended drawing sheet one in line with the Examiner's suggestion. Applicant has also amended drawing sheet 3 solely to correct the labeling of the Figures depicted on that sheet, and has amended the specification to incorporate the new drawing labels. In addition, Applicant has amended claims 1 and 14 and added new claims 21-24. The amendments and new claims find full support in the original specification, claims and drawings, and no new matter is presented. Accordingly, Applicant submits that all of pending claims 1-24 are in condition for allowance and respectfully request reconsideration and a timely indication of allowance.

In the Office action dated November 4, 2005, the Examiner rejected claims 1-3, 6-8, 10-12, 14, 17 and 19 under 35 U.S.C. § 102(e) as allegedly anticipated by Fuimaono, et al. (U.S. Patent Publication No. 2003/0125614)("Fuimaono '614"). However, Applicant has amended independent claims 1 and 14 to recite "a needle electrode." Fuimaono '614 neither teaches nor suggests such a feature. Accordingly, independent claims 1 and 14, and all claims dependent therefrom, including claims 2, 3, 6-8, 10-12, 17 and 19 and new claims 23 and 24, are allowable over Fuimaono '614.

The Examiner also rejected claims 4, 9, 13, 15, 18 and 20 under 35 U.S.C. § 103(a) as allegedly obvious over either Fuimaono '614 alone or in combination with either Webster, Jr. (U.S. Patent No. 5,782,239) or Fuimaono, et al. (U.S. Patent No. 6,748,255)("Fuimaono '255"). However, none of Fuimaono '614, Webster and Fuimaono '255 teach or suggest "a needle electrode," as recited in claims 1 and 14. Accordingly, independent claims 1 and 14, and all claims dependent therefrom, including claims 4, 9, 13, 15, 18 and 20 and new claims 23 and 24, are allowable over Fuimaono '614, Webster and Fuimaono '255.

In addition, the Examiner indicated that claims 5 and 16 would be allowable if rewritten in independent form. Applicant has added new independent claim 21, which includes all of the limitations of original claim 5 and its base claim, and new independent claim 22, which includes all of the limitations of original claim 16 and its base claim. Accordingly, Applicant submits that

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new claims 21 and 22, which correspond to claims 5 and 16 rewritten in independent form, are allowable.

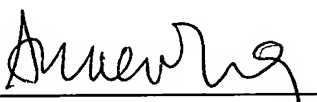
Finally, the Examiner objected to the disclosure asserting that Figures 1 and 2 are inconsistent. In so rejecting, the Examiner notes that element 106 in Figure 2 appears on the opposite side of the body 17 in Figure 1. Accordingly, Applicant has amended Figure 1 to be consistent with the placement of element 106 in Figure 2. This amendment finds full support in the specification (for example at page 11, lines 11-24), which describes the thumb control 106 being located on the proximal end of the piston 84. In light of this amendment to Figure 1, Applicant respectfully requests withdrawal of the objection.

Applicant has also amended drawing sheet 3 solely to correct the labeling of the Figures depicted on that drawing sheet. Specifically, Applicant has amended Area A, Area B and Area C to FIG. 2A, FIG. 2B and FIG. 2C, respectively. In addition, Applicant has amended the specification solely to incorporate the changes to this drawing sheet.

In light of the above amendments and remarks, Applicant submits that all of pending claims 1-24, as amended, are in condition for allowance and respectfully requests a timely indication of allowance. However, if there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to contact the undersigned at the number below.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By



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LES/les

LES PAS670267.1-*03/6/06 11:04 AM



FIG. 2B
 AREA B

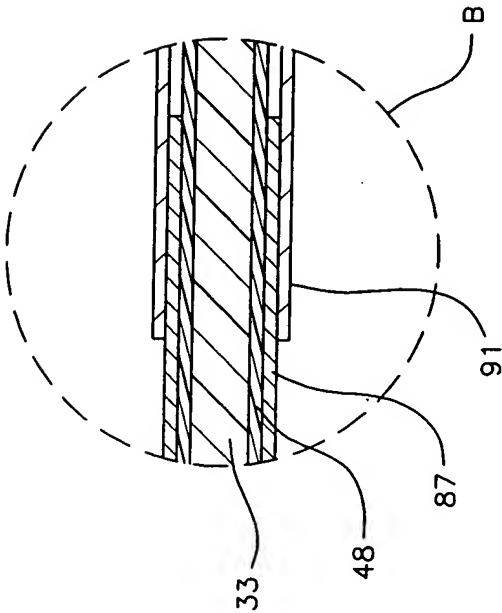


FIG. 2A
 AREA A

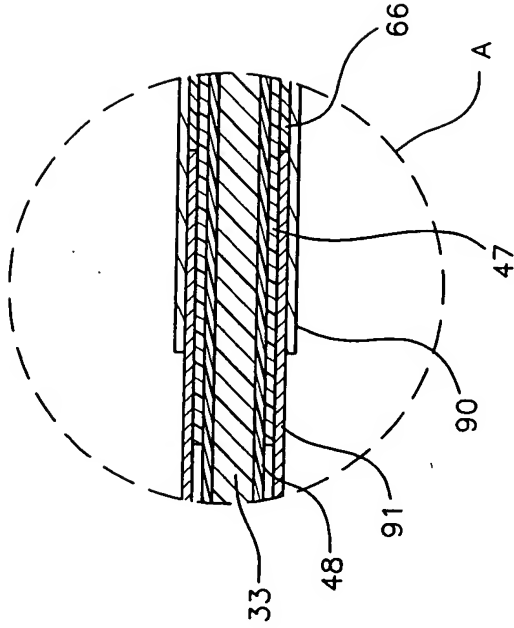


FIG. 2C
 AREA C

